

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**In re: RICKY CLAYTON RASBEARY
LAWALTA KAY RASBEARY**

§
§

**Case No. 08-31609-H5-13
Chapter 13**

**MOTION FOR ENTRY OF AGREED ORDER CONDITIONING AUTOMATIC STAY
REGARDING NON-EXEMPT PROPERTY**

THIS IS A MOTION FOR ENTRY OF AN AGREED ORDER CONDITIONING THE AUTOMATIC STAY. IF YOU OBJECT TO THE GRANTING OF RELIEF, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT WITHIN 15 DAYS OF THE DATE THIS WAS MAILED TO YOU. IF NO TIMELY OPPOSITION IS FILED, THE COURT MAY GRANT THE RELIEF WITHOUT A HEARING.

1. Movant: GMAC Inc.
2. Movant, directly or as agent for the holder, holds a security interest in one (1) 2006 Chevrolet Silverado bearing serial number 2GCEK13T161210678.
3. The Debtors' exemptions have been allowed.
4. Type of collateral (e.g., Home, Manufactured Home, Car, Truck, Motorcycle): truck
5. Debtors' scheduled value of property: not listed.
6. Movant's estimated value of property: \$21,337.50.
7. Total amount owed to Movant: \$16,645.16.
8. Estimated equity (paragraph 7 minus paragraph 8): \$4,692.34.
9. Total pre and post-petition arrearages: \$16,638.33.
10. Total post-petition arrearages: \$16,638.33.
11. Amount of unpaid, past due property taxes, if applicable: n/a
12. Expiration date on insurance policy, if applicable: n/a.
13. Movant and Debtors have agreed to condition the automatic stay pursuant to the terms of the attached agreed order. Accordingly, the parties request entry of the agreed order. The contact person for this motion is attorney Billy G. Baca who may be reached at (713) 864-8000.

Date: December 14, 2009

/s/ Billy G. Baca

Movant's counsel signature

BILLY G. BACA

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Certificate of Service and Certificate of Compliance with BLR 4001

A copy of this motion was served on the persons shown on the attached “Service Exhibit” at the addresses reflected on that exhibit on December 14, 2009 by prepaid United States first class mail. Movant certifies that Movant has complied with Bankruptcy Local Rule 4001.

/s/ *Billy G. Baca*

Movant’s counsel

SERVICE EXHIBIT

Yvette V Recio

Tow & Koenig, P.L.L.C.
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Ricky Clayton Rasbeary

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IRS (Chapter 13 Notice)

Centralized Insolvency Operations
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US Trustee

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William E. Heitkamp

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ECMC

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FIA Card Services aka Bank of America

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Norfolk, VA 23517

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